

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DIZZY WELLS,

Plaintiff,

v.

Case No. 17-cv-243-pp

DAVID A. CLARKE, JR., *et al.*,

Defendants.

**ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE FOR
FAILURE TO PAY THE FILING FEE**

Plaintiff Dizzy Wells is representing himself. He filed a complaint, dkt. no. 1, along with a motion for leave to proceed without prepayment of the filing fee pursuant to 28 U.S.C. §1915, dkt. no. 2. On March 14, 2017, the court ordered that by April 7, 2017, the plaintiff must forward to the Clerk of Court the sum of \$13.50 as an initial partial filing fee. The plaintiff did not pay the fee by the deadline, so on May 8, 2017, the court ordered that by May 29, 2017, the plaintiff either must pay the fee or explain to the court why he could not do so. Dkt. No. 8. The court warned the plaintiff that if he did not do one of those things by the end of the day on May 29, 2017, the court would dismiss his case. The deadline has passed, and the plaintiff has not complied with the court's order.

Because the plaintiff has not paid the initial partial filing fee, the court concludes that he no longer wants to pursue this lawsuit. The court will

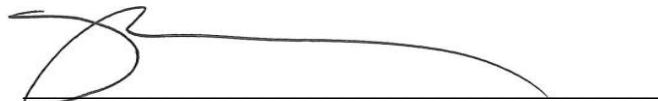
dismiss this action without prejudice. The plaintiff may refile his complaint at a later date if he so chooses, subject to the applicable statute of limitations.

The court **ORDERS** that this case is **DISMISSESSED WITHOUT PREJUDICE** for failure to pay the filing fee and failure to comply with the court's orders.

The court will send a copy of this order to the warden of the institution where the plaintiff is confined.

Dated in Milwaukee, Wisconsin this 6th day of June, 2017.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
United States District Judge